



Department of Justice

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GIRLFRIEND OF MS-13 MEMBER SENTENCED TO 46 MONTHS IN PRISON FOR INVOLVEMENT IN RICO CONSPIRACY

WASHINGTON – The girlfriend of a member of La Mara Salvatrucha, or MS-13, was sentenced today to 46 months in prison for her participation in a racketeering enterprise, Acting Assistant Attorney General Matthew Friedrich of the Criminal Division and U.S. Attorney Edward M. Yarbrough for the Middle District of Tennessee announced.

Ericka Cortez, a/k/a Shorty, was also sentenced today by Chief U.S. District Judge Todd J. Campbell of the Middle District of Tennessee in Nashville to serve three years of supervised release.

The RICO charge to which Cortez pleaded guilty charged that she and others involved in the MS-13 gang conspired to participate in a pattern of racketeering activity in the Nashville metropolitan area, including murder, attempted murder and witness tampering. In addition, the indictment stated that in approximately August 2006, Cortez transported a .22-caliber rifle at the direction of her boyfriend and MS-13 member Manual Marquez that she knew was to be used by Marquez and other members of MS-13 to attack and possibly kill rival gang members. The indictment further stated that on or about Sept. 6, 2006, Cortez provided false information to a Nashville Metropolitan Police Department detective who was investigating an MS-13 shooting of a rival gang member on Sept. 4, 2006. Cortez lied to the detective to protect MS-13 gang members who were involved in that shooting. Cortez later instructed another witness to the shooting to change his telephone number and to otherwise avoid contact with detectives. Finally, at the request of MS-13 leader Escolastico Serrano, Cortez agreed to photograph the victim of the attempted murder on Sept. 4, 2006, so that MS-13 members could locate and kill him.

Cortez is the fifth defendant to be sentenced on RICO charges stemming from an indictment returned by a federal grand jury in Nashville on Jan. 10, 2007. That indictment charged 14 members of MS-13, including Marquez and Serrano, with conspiring to participate in the affairs of a racketeering enterprise and related charges including murder, attempted murder, assault, weapons charges and obstruction of justice. All 14 indicted defendants have pleaded guilty. Four other defendants were previously sentenced to lengthy prison terms after pleading guilty to the RICO conspiracy. Walter Hernandez was sentenced on March 31, 2008, to 324 months in prison. On Dec. 3 and Dec. 7, 2007, respectively, Henry Garballo-Vasquez and Jose Alfaro were sentenced to 240 months in prison. On Nov. 20, 2007, Geovanni Pena received a sentence of 235 months in prison.

According to the indictment, the MS-13 street gang is a violent international criminal organization composed primarily of immigrants or descendants of immigrants from El Salvador. The purpose of the racketeering enterprise was to preserve and protect the power, territory and profits of the MS-13 enterprise through violent assault, murder, threats of violence and intimidation.

The case was prosecuted by Assistant U.S. Attorney Jimmie Lynn Ramsaur of the Middle District of Tennessee and Trial Attorney John Han from the Criminal Division's Gang Squad.

The case was investigated by the Nashville Metropolitan Police Department's Gang Suppression Unit, the Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Immigration and Customs Enforcement at the Department of Homeland Security, the Davidson County District Attorney General's Office, the U.S. Attorney's Office in the Middle District of Tennessee, and the Gang Squad of the Justice Department's Criminal Division.

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